

**WSGL WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP***Intellectual Property Law*  
Patents • Trademarks • CopyrightsTen Post Office Square  
Boston, Massachusetts 02109  
Tel. 617.542.2290 • Fax. 617. 451.0313  
www.wsglip.com**RECEIVED  
CENTRAL FAX CENTER**

DEC 22 2003

**OFFICIAL****FACSIMILE COVER SHEET**

DATE: December 22, 2003

TO: Examiner Ralph J. Gitomer  
TC Art Unit: 1651

Fax No.: (703) 872 9306

FROM: Charles L. Gagnebin III

No. of pages transmitted  
(including this page): 70.

Our File: RDMA-002XX

Time:

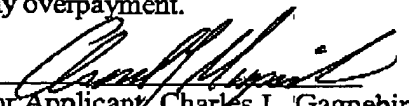
Your Ref: Application No. 09/830,708  
Filed Date: April 30, 2001

Sent by: Khylo Rhoden

A confirmation copy of this transmission will not be mailed unless the following is checked: ☐  
MESSAGEPLEASE DELIVER DIRECTLY TO:  
EXAMINER RALPH J. GITOMER, Tel. (703)308-0732  
TC ART UNIT NO: 1651**FOR ENTRY**

Enclosed for filing please find a: Transmittal letter, a petition for 2 month extension of time, an Amendment Under 37 C.F.R. §1.116 including Attachment A, and a Declaration of Michael J. Evelegh, Ph.D. Under 37 C.F.R. §1.132 with Exhibits A-D.

The Commissioner is hereby authorized to Charge Deposit Account No. 23-0804 for any additional filing fees associated with this communication or credit any overpayment.

  
Attorney for Applicant: Charles L. Gagnebin III  
Registration No. 25,467**THIS MESSAGE MAY CONTAIN CONFIDENTIAL OR PRIVILEGED INFORMATION INTENDED ONLY FOR THE PERSON(S) IDENTIFIED ABOVE. IF IT HAS BEEN RECEIVED AT ANY OTHER PLACE OR HAS NOT BEEN CLEARLY RECEIVED, PLEASE CALL THE ABOVE IDENTIFIED SENDING PARTY COLLECT FOR INSTRUCTIONS. DO NOT SHOW OR DISTRIBUTE THIS MESSAGE TO ANYONE OTHER THAN THE INTENDED RECIPIENT(S). THANK YOU.**

Rev 05/03

WEINGARTEN, SCHURGIN, CAGNEBIN & LEBOVICI LLP  
 Ten Post Office Square  
 Boston, Massachusetts 02109  
 Telephone: (617) 542-2290  
 Telecopier: (617) 451-0313

Application No.: 09/830,708  
 Filed: April 30, 2001  
 TC Art Unit: 1651  
 Confirmation No.: 3616

Via Facsimile

MAIL STOP AF

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Date: December 22, 2003

Attorney

Docket No.: RDMA-002XX

Sir:

In re application of: Michael J. Eveleigh

Entitled: SPECTROPHOTOMETRIC MEASUREMENT IN COLOR-BASED  
 BIOCHEMICAL AND IMMUNOLOGICAL ASSAYS

Transmitted herewith is an amendment in the above-identified application. The following checked items are applicable:

- ☐ This is a Request for Continued Examination under §1.114; authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$ ) per §1.17(e).
- ☐ Enter the unentered amendment previously filed on per §1.116.
- ☒ A Petition for Extension of Time for 2 month is hereby made under §1.136(a); authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$210.00) per §1.17.
- ☒ In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.
- ☐ is hereby appointed Associate Attorney by:  
 Registration No.:

Attorney of Record:

Registration No.:

- ☒ Other: Attachment A, Declaration of Michael J. Eveleigh, Ph.D. and Exhibits A-D

CLAIMS AFTER AMENDMENT:	MINUS PRIOR PAID CLAIMS:	EQUALS PRESENT EXTRA CLAIMS:	RATE:	ADDITIONAL FEE:
Independent	3 - 5	= 0	x \$86.00 =	0
Total	13 - 22	= 0	x \$18.00 =	0
<input type="checkbox"/> Multiple Dependent Claims (1st presentation)			+ \$290.00 =	0
SUBTOTAL ADDITIONAL FEE				0
Small Entity filing, divide by 2. Small Entity status must be asserted.				0
TOTAL ADDITIONAL FEE				0

- ☒ No additional fee. ☐ The fee has been calculated above; authorization is provided herewith to charge Deposit Account No. 23-0804 (\$ ) for the cost of same.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees under §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

I hereby certify that this correspondence is being sent via facsimile to Examiner Ralph J. Gitom r, TC Art Unit 1651, Fax N . (703) 872-9306, on 12-22-03.

SUBMIT IN TRIPLICATE

CSK/tmr/299903-1

Attorney of Record: Charles L. Gagnon III  
 Registration No.: 25,467